

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LORI LEE NOBLE,

Plaintiff,

v.

CAROLYN COLVIN, Acting Commissioner of
Social Security,

Defendant.

Case No. 2:13-CV-01416-RSL-BAT

**REPORT AND
RECOMMENDATION**

Lori Lee Noble brought an action seeking review of the denial of her application for disability benefits. Dkt. 3. The parties have filed a stipulated motion to reverse and remand the case for further administrative proceedings, including a *de novo* hearing, pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 27.

On remand the Administrative Law Judge (“ALJ”) shall offer plaintiff an opportunity for a new hearing, further update the medical record, and issue a new decision. The ALJ shall also:

- (1) Reassess plaintiff’s maximum residual functional capacity (“RFC”), including all exertional and non-exertional limitations, and give consideration to all medical opinions of record, including specifically those medical opinions of Carolyn Marquardt, M.D. Frank Li, M.D., Kevin Sloan, M.D., and Gayle Palmer, M.D.;
- (2) Consider all medical source opinions and fashion a complete RFC finding. The

ALJ should provide specific reasoning for the weight given to opinion evidence and discuss the evidentiary basis for conclusions along with an adequate rationale for either accepting or rejecting probative medical opinions;

(3) Reassess plaintiff's credibility;

(4) Include all unrejected work-related limitations in the RFC; and

(5) Reassess at steps 4 and 5, with the assistance of a vocational expert, plaintiff's work-related limitations on the occupational base ensuring that the vocational expert is provided a hypothetical that is consistent with the RFC ultimately found.

The parties stipulate that Ms. Noble is entitled to reasonable attorney fees pursuant to 28 U.S.C. § 2412, upon proper request to this Court.

The Court has reviewed the motion and record, and recommends the case be **REVERSED** and **REMANDED** for further administrative proceedings, including a *de novo* hearing, pursuant to the terms of the parties' stipulated motion. As the parties stipulate to remand, the Court recommends if this recommendation is adopted, that it be approved immediately. A proposed order accompanies this Report and Recommendation. The Clerk shall note the matter for **April 15, 2014**, as ready for the District Judge's review.

DATED this 15th day of April, 2014.



BRIAN A. TSUCHIDA
United States Magistrate Judge